

1 MARC J. DAYS, SBN 184098
2 In Pro Per
3 445 Bellevue, Second Floor
4 Oakland, California 94610-4924
5 Telephone: (510) 451-0104
6 Facsimile: (510) 451-5056

7 BENJAMIN J. HOLL, SBN 200630
8 In Pro Per
9 400 45th Street
10 Oakland, CA 94609
11 Telephone: (415) 819-1930
12 Facsimile: (510) 601-5330

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 MARC DAYS and BENJAMIN HOLL

16 Plaintiffs,

17 vs.

18 LARRY BISHOP, PATRICIA MORGEN, NIKA
19 GIBSON DOBBINS, SHALOM GIBSON, MIKE
20 WARE, PHLECIA RICE, CHICAGO D&P, INC.,
21 AND DOES 1-500

22 Defendants

Case No.: C 04-4850 CRB

**STIPULATION TO ALTER OR AMEND
ORDER**

Civil L.R. 7-12

WHEREAS, on October 22, 2007, the Court ordered dismissal of this action pursuant to FRCP, Rule 41(b) (the "Order");

WHEREAS, on November 8, 2007, Plaintiffs' filed a Motion to Alter, or Alternative, For Relief from Order (the "Motion");

WHEREAS, the Motion is set for hearing on January 11, 2007; and,

WHEREAS, the parties desire to avoid the hearing on the Motion, and to instead stipulate to the Court altering or amending its Order, and enter an order of dismissal pursuant to FRCP, Rule 41(a)(2).

IT IS HEREBY STIPULATED AND AGREED by and between the parties that the Court alter or amend the Order, and enter an order of dismissal pursuant to FRCP, Rule 41(a)(2).

Dated: December 6, 2007

/s/ Marc Days

Marc Days
In Pro Per

Dated: December 6, 2007

/s/ Benjamin J. Holl

Benjamin J. Holl
In Pro Per

Dated: December 6, 2007

/s/ Alexander Volchegursky

Alexander Volchegursky
Attorney for Defendant
Larry Bishop

ORDER

PURSUANT TO STIPULATION, IT IS ORDERED that the Court's order of dismissal of this action pursuant to FRCP, Rule 41(b), dated October 22, 2007, is hereby amended so that the order of dismissal of this action is instead pursuant to FRCP 41(a)(2).

SO ORDERED.

Dated: December 12, 2007

Stipulation to Alter or Amend Order
Case # C 04-4850 CRB

United States

